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April 17, 2023

**Via ECF**

The Honorable Sarah Netburn  
United States Magistrate Judge  
40 Foley Square, Room 430  
New York, NY 10007

*Re: Roche Freedman LLP v. Jason Cyrulnik, No. 1:21-cv-1746 (S.D.N.Y.)*

Dear Judge Netburn:

We have reviewed your Order of April 12, 2023, denying the letter motion filed by our clients at Dkt. 379 on the ground that it was procedurally improper to seek reconsideration. (Dkt. 386). In order to preserve the issue and in deference to the Court's ruling, we respectfully submit this supplemental letter and ask that it (along with our prior letter) be treated not as requests for reconsideration but as requests for relief in the first instance, namely as requests for leave to serve an expert report regarding the authenticity of certain Cryptoleaks video excerpts. Our application in this regard is based not only the reasons set forth by Mr. Roche in his separate motion (Dkt. 368), but also on the ground that our clients, who were not present at any of the meetings the videos purportedly depict, had been provided no basis to conclude such fakery had occurred until shortly before Mr. Roche approached the Court and advised that an expert had so opined.

We apologize for the number of letters on this issue, but seek to ensure the issued is preserved.

Respectfully,

*/s/ Jonathan P. Bach*

Jonathan P. Bach